IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 956 of 2006

M/S.PRATAPSINGH CONTRACTOR
V/S
STATE & ORS.

Mr. MANOHAR SINGH for Mr. ANIL KUMAR SINGH, for the appellant / petitioner

Date of Order : 11.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The amount sought to be recovered represents the amount imposed by way of penalty in terms of the contract. In that view of the matter, even if the matter was required to be got adjudicated by arbitration, it was for the petitioner to have approached the arbitration. Both the learned Courts below have considered the aspect that the amount represents the amount of penalty. I do not find any sufficient ground to interfere in my writ jurisdiction. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/tarun/